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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/673,647	10/31/2000	Katsushi Nihei	016886/0179	7105

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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/673,647	Applicant(s) NIHEI ET AL.	
	Examiner Willie J. Daniel, Jr.	Art Unit 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-4,6-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4,6-8 and 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to applicant's amendment filed on 28 June 2006. **Claims 2-4, 6-8, and 10-15** are now pending in the present application and claims 1, 5, and 9 are canceled.  
This office action is made **Final**.

#### ***Double Patenting***

2. Applicant is advised that should **claim 11** be found allowable, **claim 12** will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Specification***

3. The objection applied to the specification is withdrawn, as the proposed specification correction is approved.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 2-4, 6-8, and 10-15** are rejected under 35 U.S.C. 102(e) as being anticipated by **Greene et al.** (hereinafter Greene) (**US 6,212,177 B1**).

Regarding **claims 13, 14, and 15**, Greene discloses a remote access system which reads on the claimed “mobile turret system” including an office switching network (10) which reads on the claimed “virtual turret side” composed of a first general-purpose personal computer (10; col. 2, lines 15-40) and a computer telephony integration (CTI) device (10; col. 2, lines 15-40) and a mobile turret side (e.g., remote trader turret site) composed of a personal computer (20) which reads on the claimed “second general-purpose personal computer” and a telephone (28) in a financial trading network which reads on the claimed “dealing communication system” (see abstract; col. 1, lines 5-12, col. 2, lines 42-61; Fig. 1), in which a connection operation is performed by remote computing between the virtual turret side (10) and the mobile turret side (e.g., remote trader turret site) in order to control the virtual turret side (10) as if an operation at the mobile turret side is performed at the virtual turret side (10) (see Fig. 1), the mobile turret system comprising:

starting means or unit (i.e., 20, 22, 24, 26, and 29; Fig. 1) for prompting second general-purpose personal computer (20) to input a connecting telephone number of said first general-

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purpose personal computer (10; col. 2, lines 15-40) when a remote computing start operation is detected by the said second general-purpose personal computer (20) (see col. 1, lines 61-65; col. 2, lines 42-61; col. 3, lines 4-10; Fig. 1), where the remote operator connects to the office network in which a remote screen is displayed to simulate a virtual turret (see col. 1, lines 45-54; Fig. 2), and

for establishing a connection with the first general-purpose personal computer (10; col. 2, lines 15-40) on the basis of the connecting telephone number to start the virtual turret (10 and 12-13) on the second general-purpose personal computer (20) when detecting the input of the connecting telephone number by the second general-purpose personal computer (20) (see col. 1, lines 45-65; col. 2, lines 42-61; col. 3, lines 4-10; Fig. 1), where the remote operator connects via telephone (28) to the office network in which a remote screen is displayed to simulate a virtual turret (see col. 1, lines 45-54; Fig. 2);

screen display means or unit (i.e., computer screen 22), after the starting means (i.e., 20, 22, 24, 26, and 29; Fig. 1) start the virtual turret on the second general-purpose personal computer (20), for displaying on a screen (22) a connection requirement display indicative of generation of a connection requirement from the telephone of the mobile turret side (e.g., remote trader turret site) to the CTI device (10; col. 2, lines 15-40) on the virtual turret activated on the second general-purpose personal computer (20) when the connection requirement operation required from the telephone (28) of the mobile turret side (e.g., remote trader turret site) to the CTI device (10; col. 2, lines 15-40) is detected, and for displaying a response window on the screen for allowing responding to the connecting requirement from the telephone (28) of the mobile turret side (e.g., remote trader turret site) to the CTI device

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(10; col. 2, lines 15-40) (see col. 1, lines 51-60; col. 2, lines 22-50; col. 3, lines 11-24; Figs. 1-2), where the line status of the remote user is indicated on the screen display (22) for a connection to the network (10). The line status indicators (17, 18) provides the status of incoming and outgoing calls between the remote trader turret, trader turret (12, 13), and trading partners (16, 19) and to indicate the calling party to the called party and called party to the calling party;

connecting means or unit (i.e., 20, 22, 24, 26, and 29; Fig. 1) for communication-connecting the telephone (28) with the CTI device (10; col. 2, lines 15-40) when the response is made to the connection requirement on the response window (22) (see col. 1, lines 29-47; col. 3, lines 11-24; Figs. 1-2);

remote computing connection means or unit (e.g., 10, 26, 29) for performing a connection operation between the virtual turret side (10 and 12-13) and the mobile turret side (e.g., remote trader turret site) by remote computing when the connecting means communication-connects the telephone (28) with the CTI device (10; col. 2, lines 15-40) (see abstract; col. 1, lines 45-60; col. 2, lines 15-27; col. 2, line 42 - col. 3, line 24; Figs. 1-2), where the office switching network (10) includes communication equipment (e.g., web server 21 and switching gear) to allow remote access via network connections (26,29).

Regarding **claims 2, 6, and 10**, and as applied to **claims 13, 14, and 15** Greene discloses a mobile turret system (i.e., remote access system) (see abstract; Fig. 1) according to claim 13, 14, 15, further comprising:

communication connection processing means or unit (10) for, in a status where said virtual turret side (i.e., 10 including 12 and 13) and said mobile turret side (e.g., remote trader

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turret site) are connected by said remote computing, when a button (16, 19; Fig. 2) on said virtual turret is operated, establishing communication connection with a predetermined party corresponding to said button (16, 19; Fig. 2) by using said telephone (28), and when a release button on said virtual turret is operated, releasing the communication connection with said predetermined party (see col. 1, lines 51-60; col. 3, lines 4-24; Figs. 1-2), where the remote user can answer a call or seize a line in which a release of connection would be inherent for the disconnecting of a connection to have a line idle or available (see col. 2, lines 39-41; col. 1, lines 18-20).

Regarding **claims 3-4, 7-8, and 11-12**, and as applied to **claims 13, 14, and 15**, Greene discloses wherein said mobile turret (e.g., remote trader turret) controls an operation system of the virtual turret (10 and 12-13) and/or controls a voice system of the CTI device (10; col. 2, lines 15-40) by means of connection and control by remote computing (see col. 1, lines 51-65; col. 2, lines 42-61; col. 3, lines 4-24; Figs. 1-2), where the remote operator connects to the office network in which a remote screen is displayed to simulate a virtual turret (see col. 1, lines 45-54; Fig. 2).

***Response to Arguments***

5. Applicant's arguments filed 28 June 2006 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the above claims and comments in this section).

6. Regarding applicant's argument on pg. 8, Double Patenting section, "...claims 11 and 12 are of different scope...", the Examiner respectfully disagrees. Both claims 11 and 12 are dependent on claim 15 and claim 15 clearly claims communication *by remote computing* in which no alternative form of communication has been claimed. The Examiner requests clarification as to what is the **different scope** the applicant is referencing by providing support (i.e., page(s), line(s), drawing(s), and comment(s)). Therefore, in view of reasons above, the objection is maintained.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to



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37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905 or Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,JR/

WJD,JR  
15 September 2006

  
ERIKA A. GARY  
PRIMARY EXAMINER